

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

JAMES KOMOROSKI and
GALEN VERHULST,
individually and on behalf of those
similarly situated,

Plaintiffs,

v.

UTILITY SERVICE PARTNERS PRIVATE
LABEL, INC. d/b/a SERVICE LINE
WARRANTIES OF AMERICA,

Defendant.

Case No. 4:16-CV-00294-DGK

ORDER GRANTING MOTION FOR AWARD OF ATTORNEYS' FEES

This case is a consumer class action. Plaintiffs James Komoroski and Galen Verhulst (collectively, "Plaintiffs") purchased utility warranties from Defendant Utility Service Partners Private Label, Inc., doing business as Service Line Warranties of America ("SLWA"), which would defray the cost to repair and replace the water service line running into their home. Plaintiffs allege SLWA denied warranty coverage for legitimate repair claims.

Now before the Court is Plaintiffs' Motion for Award of Attorneys' Fees, Expenses and Class Representative Awards (Doc. 55) and Plaintiffs' counsel's response to the Court's request for additional information to perform a lodestar calculation (Doc. 80). Counsel seek \$83,000 in fees and no reimbursement for expenses. After carefully reviewing the augmented record, the Court rules as follows.

A lodestar calculation is the product of the reasonable time spent on a matter times a reasonable rate. *City of Burlington v. Dague*, 505 U.S. 557, 559 (1992); *Dindinger v. Allsteel, Inc.*, 853 F.3d 414, 429 (8th Cir. 2017). Counsel have provided detailed records which confirm

that the total amount of attorney time spent on this matter was approximately 306 hours, the total amount of paralegal time spent on this matter was approximate 66 hours, and that all of the time spent on this matter was reasonable. As for the rate, the proposed fee of \$83,000 for 306 hours of attorney time¹ works out to an hourly rate of approximately \$270 an hour. The Court also notes counsel achieved a good result for their clients: Class members with economic damages will recover 110% of their actual damages, and the remaining class members will benefit by SLWA's agreement to change its business practices.

In light of the result achieved and the reasonable hours worked, the Court finds the proposed fee of \$83,000 is more than fair. The motion is GRANTED, and the Court commends counsel for their work.

Plaintiffs' counsel are awarded eighty-three thousand dollars (\$83,000) in fees, to be paid pursuant to the terms of the Settlement Agreement.

IT IS SO ORDERED.

Date: November 20, 2017

/s/ Greg Kays
GREG KAYS, CHIEF JUDGE
UNITED STATES DISTRICT COURT

¹ The Court notes this figure excludes the value of the paralegal's time, which was not insignificant, and further benefits the class.